

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

19 RECORDINGS LIMITED,

Plaintiff,

v.

SONY MUSIC ENTERTAINMENT,

Defendant.

14-CV-1056 (RA)(GWG)

NOTICE OF MOTION

ECF CASE

PLEASE TAKE NOTICE that, upon the accompanying the Declaration of Christopher Y. L. Yeung and the exhibits thereto and the accompanying memorandum of law, both dated April 25, 2014, and all prior pleadings in this action, Defendant Sony Music Entertainment, by its attorneys, Covington & Burling LLP, will move this Court, before The Honorable Ronnie Abrams, United States District Court Judge, at the United States Courthouse, 40 Foley Square, Courtroom 1506, New York, New York, as soon as counsel may be heard, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (i) dismissing with prejudice the first cause of action for breach of contract with respect to royalty escalations, streaming income from exploitations characterized as “distribution” or “sales,” deductions of advertising costs for Compilation Albums, settlement recoveries from actions not brought in the name of 19 or its artists, deductions of foreign advertising costs, and royalties for Carrie Underwood and Kellie Pickler from 2006; (ii) dismissing with prejudice the second cause of action for breach of the duty of good faith and fair dealing in its entirety; (iii) dismissing the remainder of Plaintiff’s Complaint; and (iv) for such other and further relief as the Court deems just and proper.

Dated: New York, New York
April 25, 2014

COVINGTON & BURLING LLP

By: 
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